

# RECORD OF RESOLUTIONS

Resolution No. 2017-J

February 13, 2017

## City of Bellbrook

### Resolution No. 2017-J

#### **A Resolution Approving the Replat of Lots #22-27 into Lots #22A, #23A, #24A, #25A, #26A, #26B and #27A, Highview Terrace Subdivision Section II.**

WHEREAS, the Ohio Revised Code requires a re-plat for changes of lot lines or easements in a platted subdivision, and

WHEREAS, the City of Bellbrook's consulting engineer and the Bellbrook Planning Board have recommended approval of a replat of Lots #22-27 into Lots #22A, #23A, #24A, #25A, #26A, #26B and #27A, Highview Terrace Subdivision, Section II; and

WHEREAS, the City of Bellbrook Subdivision Regulations stipulate that changes to a recorded plat shall be approved by action of the Bellbrook City Council

#### **Now, Therefore, the City of Bellbrook Hereby Resolves:**

Section 1. That the replat of Lots #22-27 into Lots ##22A, #23A, #24A, #25A, #26A, #26B and #27A, Highview Terrace Subdivision, Section II is hereby approved for recording purposes.

Section 2. That the Mayor and Clerk of Council are authorized to affix their signatures to the revised record plan.

Section 3. That this resolution shall take effect and be in force forthwith.

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Robert L. Baird, Mayor

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Jami L. Kinion, Clerk of Council

**DEDICATION**

WE, THE UNDERSIGNED, BEING ALL THE OWNERS AND LIENHOLDERS OF THE LANDS HEREIN PLATTED, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF SAID PLAT AS SHOWN HEREON, AND DO DEDICATE EASEMENTS AS SHOWN HEREON TO THE PUBLIC USE FOREVER. EASEMENTS SHOWN ON THE WITHIN PLAT ARE RESERVED FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, GAS, SEWER, ELECTRIC, TELEPHONE OR OTHER UTILITIES OR SERVICES, AND FOR THE EXPRESS PRIVILEGE OF REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID UTILITIES AND FOR THE PROVIDING OF INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES, AND ARE TO BE MAINTAINED AS SUCH FOREVER.

SIGNED AND ACKNOWLEDGED \_\_\_\_\_ OWNER PT. OF LOT 22  
IN THE PRESENCE OF: \_\_\_\_\_ R M CLEMENS CO.

WITNESS \_\_\_\_\_ BY: RICHARD M. CLEMENS  
\_\_\_\_\_ PRESIDENT, R M CLEMENS CO.

WITNESS \_\_\_\_\_

STATE OF OHIO, S.S.:  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY CLEMENS DEVELOPMENT CO.,  
BY RICHARD M. CLEMENS, ITS PRESIDENT, AS OWNER.

NOTARY PUBLIC \_\_\_\_\_

SIGNED AND ACKNOWLEDGED \_\_\_\_\_ LIENHOLDER:  
IN THE PRESENCE OF: \_\_\_\_\_ MINSTER BANK (WESTERN OHIO)

WITNESS \_\_\_\_\_

WITNESS \_\_\_\_\_ BY: \_\_\_\_\_  
\_\_\_\_\_ (PRINTED NAME)

WITNESS \_\_\_\_\_ BY: \_\_\_\_\_  
\_\_\_\_\_ (PRINTED TITLE)

STATE OF OHIO, S.S.:  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY MINSTER BANK

BY \_\_\_\_\_ IT'S \_\_\_\_\_  
AS LIENHOLDER.

NOTARY PUBLIC \_\_\_\_\_

SIGNED AND ACKNOWLEDGED \_\_\_\_\_ OWNER LOT 23:  
IN THE PRESENCE OF: \_\_\_\_\_ MARC A. RASLICH AND TOBY A. RASLICH

WITNESS \_\_\_\_\_ BY: MARC A. RASLICH

WITNESS \_\_\_\_\_ BY: TOBY A. RASLICH

STATE OF OHIO, S.S.:  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY MARC A. RASLICH AND TOBY A. RASLICH, AS OWNERS.

NOTARY PUBLIC \_\_\_\_\_

SIGNED AND ACKNOWLEDGED \_\_\_\_\_ LIENHOLDER:  
IN THE PRESENCE OF: \_\_\_\_\_

WITNESS \_\_\_\_\_

WITNESS \_\_\_\_\_ BY: \_\_\_\_\_  
\_\_\_\_\_ (PRINTED NAME)

WITNESS \_\_\_\_\_ BY: \_\_\_\_\_  
\_\_\_\_\_ (PRINTED TITLE)

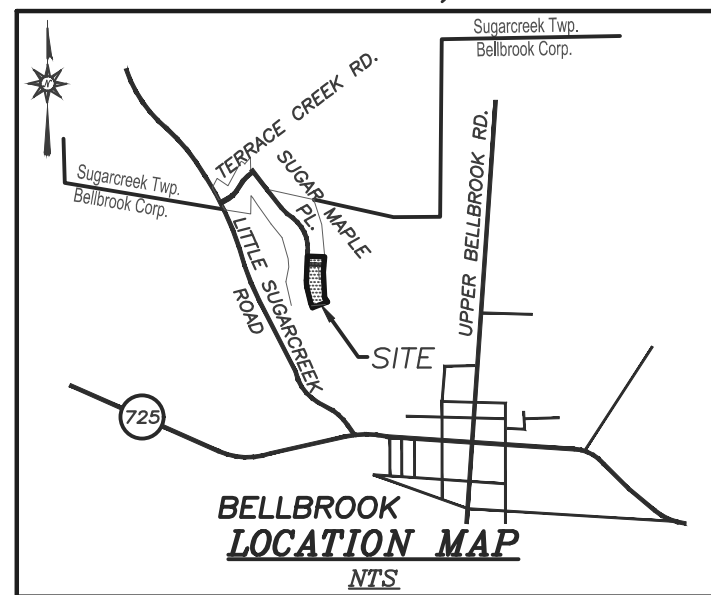
STATE OF OHIO, S.S.:  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY

BY \_\_\_\_\_ IT'S \_\_\_\_\_  
AS LIENHOLDER.

NOTARY PUBLIC \_\_\_\_\_

**HIGHVIEW TERRACE, SECTION TWO  
RE-PLAT OF LOTS 23 THROUGH 26,  
PART OF LOT 22, PART OF LOT 27,  
PART OF RIVER BIRCH COURT  
RIGHT-OF-WAY & PART OF 60.069  
ACRE TRACT  
INTO LOTS 22A, 23A, 24A, 25A,  
26A, 26B & 27A**

**FOR  
CLEMENS DEVELOPMENT COMPANY  
LOCATED IN  
CITY OF BELLBROOK, SECTION 2, TOWN 2, RANGE 6 M.R.'s., GREENE  
COUNTY, OHIO  
3.516 ACRES  
SEPTEMBER 1, 2016**



SIGNED AND ACKNOWLEDGED \_\_\_\_\_ OWNER LOTS 24 - 26, PT LOT 27, & 0.396  
IN THE PRESENCE OF: \_\_\_\_\_ ACRES OUT OF REMAINING 60.069 ACRE TRACT  
CLEMENS DEVELOPMENT CO.

WITNESS \_\_\_\_\_ BY: RICHARD M. CLEMENS  
\_\_\_\_\_ PRESIDENT, CLEMENS DEVELOPMENT CO.

WITNESS \_\_\_\_\_

STATE OF OHIO, S.S.:  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY CLEMENS DEVELOPMENT CO.,  
BY RICHARD M. CLEMENS, ITS PRESIDENT, AS OWNER.

NOTARY PUBLIC \_\_\_\_\_

SIGNED AND ACKNOWLEDGED \_\_\_\_\_ LIENHOLDER:  
IN THE PRESENCE OF: \_\_\_\_\_ MINSTER BANK (WESTERN OHIO)

WITNESS \_\_\_\_\_ BY: \_\_\_\_\_  
\_\_\_\_\_ (PRINTED NAME)

WITNESS \_\_\_\_\_ BY: \_\_\_\_\_  
\_\_\_\_\_ (PRINTED TITLE)

STATE OF OHIO, S.S.:  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY MINSTER BANK

BY \_\_\_\_\_ IT'S \_\_\_\_\_  
AS LIENHOLDER.

NOTARY PUBLIC \_\_\_\_\_

**BELLBROOK PLANNING BOARD:**

CHAIRMAN \_\_\_\_\_ SECRETARY \_\_\_\_\_

**BELLBROOK COUNCIL:**

MAYOR \_\_\_\_\_ CLERK OF COUNCIL \_\_\_\_\_

**GREENE COUNTY AUDITOR:**

WE HEREBY APPROVE AND ACCEPT THIS PLAT AND RECOMMEND THAT THE SAME BE RECORDED SUBJECT TO THE INCLUDED AGREEMENTS.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

TRANSFERRED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

GREENE COUNTY AUDITOR \_\_\_\_\_

**GREENE COUNTY RECORDER:**

FILE NO. \_\_\_\_\_ PLAT CABINET VOL. \_\_\_\_\_, PAGES \_\_\_\_\_

FEE: \_\_\_\_\_ RECEIVED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_\_ M.

RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

GREENE COUNTY RECORDER \_\_\_\_\_

**DESCRIPTION**

THE WITHIN RE-PLAT IS A SUBDIVISION CONTAINING 3.516 ACRES AND BEING ALL OF LOTS 24, 25, 26, AND PART OF LOT 27 AND PART OF 60.069 ACRE TRACT (ORIGINAL) AS ACQUIRED BY CLEMENS DEVELOPMENT COMPANY THROUGH INSTRUMENTS RECORDED IN O.R. 2372, PG. 672 OF THE OFFICIAL RECORDS OF GREENE COUNTY, OHIO, AND BEING PART OF RIVER BIRCH COURT RIGHT-OF-WAY AS RECORDED IN RECORD PLAN HIGHVIEW TERRACE SECTION TWO, PLAT CABINET VOL. 37, PG'S 27B-29B, AND BEING PART OF LOT 22 AS ACQUIRED BY R M CLEMENS COMPANY THROUGH INSTRUMENTS RECORDED IN O.R. 3700, PG. 877 OF THE OFFICIAL RECORDS OF GREENE COUNTY OHIO, AND BEING ALL OF LOT 23 AS ACQUIRED BY MARC A. RASLICH & TOBY A. RASLICH THROUGH INSTRUMENTS RECORDED IN O.R. 3523, PG. 267 OF THE OFFICIAL RECORDS OF GREENE COUNTY OHIO

STATE OF OHIO, S.S.: CLEMENS DEVELOPMENT CO., BY RICHARD M. CLEMENS, ITS PRESIDENT, BEING DULY SWORN, SAYS THAT ALL PERSONS AND CORPORATIONS TO THE BEST OF HIS KNOWLEDGE INTERESTED IN THIS DEDICATION, EITHER AS OWNERS OR LIENHOLDERS, HAVE UNITED IN ITS EXECUTION.

RICHARD M. CLEMENS

SWORN TO AND SIGNED IN MY PRESENCE ON

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC \_\_\_\_\_

**COVENANTS, CONDITIONS AND RESTRICTIONS:**

THE LOTS OF THE WITHIN RE-PLAT ARE GOVERNED BY THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, ASSESSMENTS, ARTICLES OF INCORPORATION AND BY-LAWS OF THE "HIGHVIEW TERRACE SUBDIVISION HOMEOWNERS ASSOCIATION", ALL OF WHICH ARE RECORDED ON HIGHVIEW TERRACE SECTION ONE, O.R. VOL. 2782, PG'S 450-483 & O.R. VOL. 2795, PG'S 619-637 OF THE DEED RECORDS OF GREENE COUNTY, OHIO AND SHALL BE IN EFFECT FOR HIGHVIEW TERRACE, SECTION TWO AND INCLUDING THIS REPLAT.

**CERTIFICATION**

I HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE, THAT THIS PLAT REPRESENTS A FIELD SURVEY OF JANUARY, 2016 PERFORMED UNDER THE DIRECT SUPERVISION OF PHILIP C. BRUMBAUGH AND THE MONUMENTS, THEIR LOCATION, SIZE & MATERIAL SHOWN HEREON EXIST AS LOCATED OR WILL BE SET AS INDICATED, ALL DIMENSIONAL DETAILS ARE BELIEVED CORRECT AND THAT THE SUBDIVISION RULES FOR THE CITY OF BELLBROOK, OHIO HAVE BEEN COMPLIED WITH.

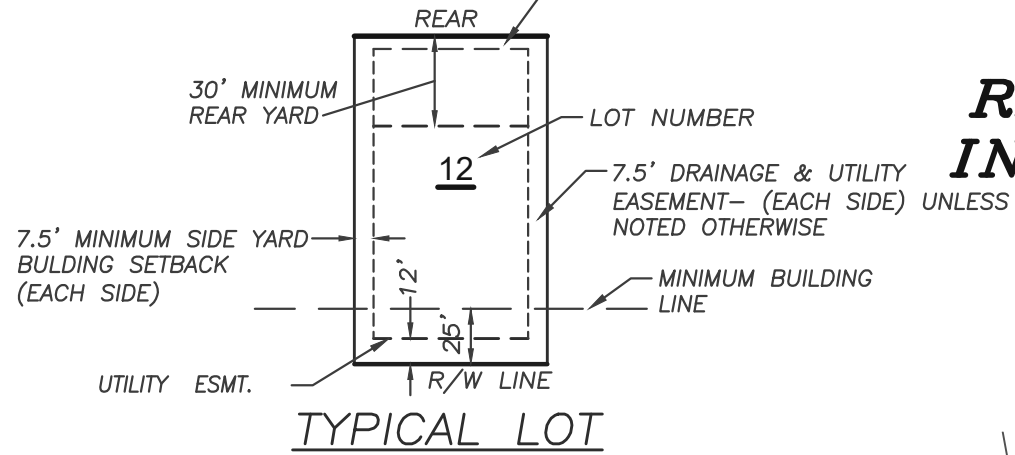
PHILIP C. BRUMBAUGH, P.S. \_\_\_\_\_ DATE \_\_\_\_\_  
OHIO LICENSE NO. 5057

**DEVELOPER**

CLEMENS DEVELOPMENT CO.  
6730 LITTLE SUGARCREEK RD.  
DAYTON, OHIO 45440  
PHONE: (937) 545-3232

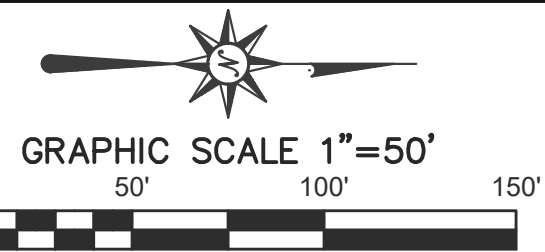
**BRUMBAUGH  
ENGINEERING &  
SURVEYING, LLC**  
1105 SOUTH MIAMI STREET  
WEST MILTON, OHIO 45383  
PHONE (937) 698-3000  
FAX (937) 698-3928  
BES JOB#287.16 SHEET 1 OF 2

"D.E." INDICATES "DRAINAGE EASEMENT" DRAINAGE EASEMENT SHALL BE SUBJECT TO PERIODIC STORM WATER FLOWS ON THE SURFACE AND WITHIN UNDERGROUND PIPING IN SOME LOCATIONS.



# HIGHVIEW TERRACE, SECTION TWO RE-PLAT OF LOTS 23 THROUGH 26, PART OF LOTS 22, PART OF 27, PART OF RIVER BIRCH COURT RIGHT-OF-WAY & PART OF 60.069 ACRE TRACT INTO LOTS 22A, 23A, 24A, 25A, 26A, 26B & 27A

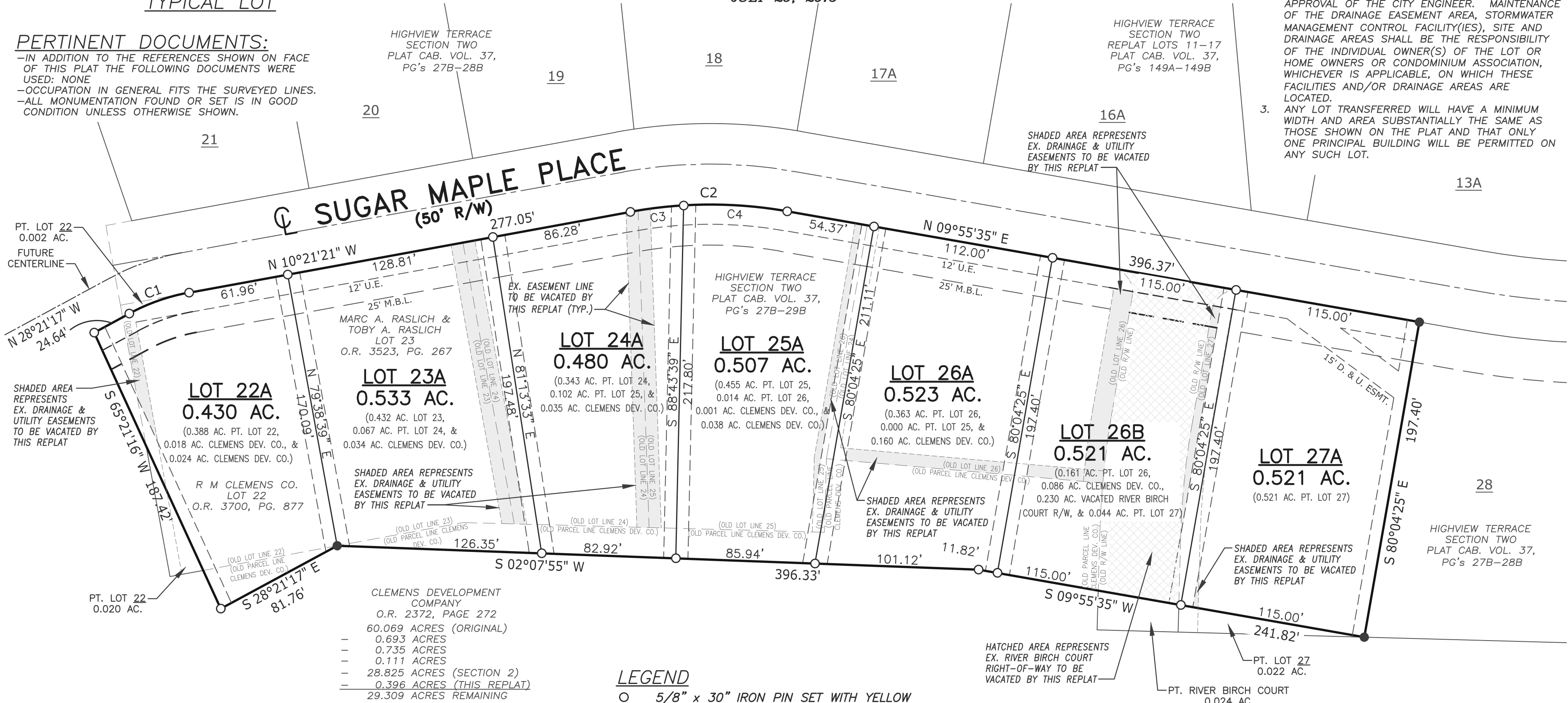
FOR  
**CLEMENS DEVELOPMENT COMPANY**  
LOCATED IN  
**CITY OF BELLBROOK, SECTION 2, TOWN 2, RANGE 6 M.R.'s., GREENE COUNTY, OHIO**  
3.516 ACRES  
JULY 29, 2016



- NOTES:**
- NO BUILDING OR OTHER STRUCTURES SHALL BE LOCATED IN "DRAINAGE EASEMENT".
  - ANY LOT AREA RESERVED FOR DRAINAGE PURPOSES, SHALL AT ALL TIMES BE KEPT FREE OF ANY OBSTRUCTIONS TO THE FLOW OF WATER. NO IMPROVEMENTS, STRUCTURES OR MODIFICATIONS WITHIN THE IDENTIFIED DRAINAGE EASEMENT AREA WILL BE ALLOWED WITHOUT THE APPROVAL OF THE CITY ENGINEER. MAINTENANCE OF THE DRAINAGE EASEMENT AREA, STORMWATER MANAGEMENT CONTROL FACILITY(IES), SITE AND DRAINAGE AREAS SHALL BE THE RESPONSIBILITY OF THE INDIVIDUAL OWNER(S) OF THE LOT OR HOME OWNERS OR CONDOMINIUM ASSOCIATION, WHICHEVER IS APPLICABLE, ON WHICH THESE FACILITIES AND/OR DRAINAGE AREAS ARE LOCATED.
  - ANY LOT TRANSFERRED WILL HAVE A MINIMUM WIDTH AND AREA SUBSTANTIALLY THE SAME AS THOSE SHOWN ON THE PLAT AND THAT ONLY ONE PRINCIPAL BUILDING WILL BE PERMITTED ON ANY SUCH LOT.

**PERTINENT DOCUMENTS:**

- IN ADDITION TO THE REFERENCES SHOWN ON FACE OF THIS PLAT THE FOLLOWING DOCUMENTS WERE USED: NONE
- OCCUPATION IN GENERAL FITS THE SURVEYED LINES.
- ALL MONUMENTATION FOUND OR SET IS IN GOOD CONDITION UNLESS OTHERWISE SHOWN.



CLEMENS DEVELOPMENT COMPANY  
O.R. 2372, PAGE 272  
60.069 ACRES (ORIGINAL)  
- 0.693 ACRES  
- 0.735 ACRES  
- 0.111 ACRES  
- 28.825 ACRES (SECTION 2)  
- 0.396 ACRES (THIS REPLAT)  
29.309 ACRES REMAINING

**CURVE TABLE**

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	39.27'	125.00'	17°59'56"	S 19°21'19" E	39.11'
C2	97.35'	275.00'	20°16'55"	N 00°12'53" W	96.84'
C3	33.21'	275.00'	6°55'09"	S 06°53'46" E	33.19'
C4	64.14'	275.00'	13°21'46"	N 03°14'41" E	63.99'

**LEGEND**

- 5/8" x 30" IRON PIN SET WITH YELLOW PLASTIC CAP STAMPED "BRUMBAUGH E&S"
- ⊕ MAG NAIL SET
- 5/8" IRON PIN FOUND
- ⊙ MAG NAIL FOUND

ALL MONUMENTS FOUND ARE IN GOOD CONDITION UNLESS OTHERWISE NOTED.

PHILIP C. BRUMBAUGH  
OHIO REGISTERED  
PROFESSIONAL SURVEYOR NO. 5057

**BRUMBAUGH ENGINEERING & SURVEYING, LLC**  
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